

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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EDWARD S. THURMOND,
Plaintiff,

v.

UNITED WHOLESALE MORTGAGE, LLC;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
Defendants.

Case No. 2:24-cv-01018-GMN-EJY

ORDER

Pending before the Court are Plaintiff's Motions to Deem Plaintiff's First Request for Admissions Admitted and to Compel Defendants to Respond to his First Set of Interrogatories. ECF Nos. 45, 46. A review of the Motions shows a failure to comply with local rules requiring the parties meet and confer before any discovery motion may be filed.

Specifically, Local Rule 26-6(c) states: "Discovery motions will not be considered unless the movant (1) has made a good-faith effort to meet and confer as defined in LR IA 1-3(f) before filing the motion, and (2) includes a declaration setting forth the details and results of the meet-and-confer conference about each disputed discovery request." LR IA 1-3(f) states meet and confer: "means to communicate directly and discuss in good faith the issues required under the particular rule or court order. This requirement is reciprocal and applies to all participants. Unless these rules or a court order provide otherwise, this requirement may only be satisfied through direct dialogue and discussion in a face-to-face meeting, telephone conference, or video conference. The exchange of written, electronic, or voice-mail communications does not satisfy this requirement." Finally, although Plaintiff is proceeding *pro se*, he must still comply with these rules. *Carter v. Comm'r of Internal Revenue*, 784 F.2d 1006, 1008-09 (9th Cir. 1986). The Court notes and advises the parties that "because requests for admissions have a binding effect on the parties, *see* Fed. R. Civ. P. 36(b), the provision for withdrawal or amendment specifically provides parties with a potential safe harbor." *Conlon v. U.S.*, 474 F.3d 616, 622 (9th Cir.2007).

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion to Deem Plaintiff's First
2 Request for Admissions Admitted (ECF No. 45) is DENIED without prejudice.

3 IT IS FURTHER ORDERED that Plaintiff's Motion to Compel Defendants to Respond to
4 his First Set of Interrogatories (ECF No. 46) is DENIED without prejudice.

5 IT IS FURTHER ORDERED that the parties **must** meet and confer in good faith and in
6 earnest regarding the issues presented in Plaintiff's Motions.

7 IT IS FURTHER ORDERED that any renewed motion **must** comply with the Local Rules.

8 Dated this 8th day of January, 2025.

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11 ELAYNA J. YOUCHAK
12 UNITED STATES MAGISTRATE JUDGE
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